



**PATENT**

hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

on January 14, 2004  
(Date of Deposit)

MOTOROLA, INC.  
Name of applicant, assignee, or Registered Rep.

[Signature] January 14, 2004  
Signature Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Rosenstock et al.	Examiner:	TBA
Serial No.:	10/676,991	Group:	TBA
Filed:	09/30/2003	Case No:	IS01407MCG
Entitled:	METHOD OF REPLICATING DATABASE ELEMENTS IN AN INFINIBAND ARCHITECTURE SUBNET		

**PETITION UNDER 37 C.F.R. § 1.47(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

Sir:

Applicants hereby petition the United States Patent & Trademark Office to make application on behalf of and agent for Richard Dykiel and Michael Leibensperger on the grounds that Richard Dykiel and Michael Leibensperger have refused to sign the Declaration and Assignment.

Attached is a Declaration by Kevin D. Wills, who made a bona fide and diligent attempt to present a copy of the application papers (including specification, claims, drawings, Declaration and Assignment) to Richard Dykiel

for signature. Richard Dykiel refused delivery of said application papers and refused to sign said Declaration per instruction from his corporate counsel. The Declaration by Kevin D. Wills contains a copy of the express refusal by Richard Dykiel to accept delivery of the application papers and to sign the Declaration and Assignment, as required by MPEP 409.03(d).

Also attached is a Declaration by Kevin D. Wills, who attempted to gain the cooperation of Michael Leibensperger, and to whom Michael Leibensperger orally refused to sign the Declaration and otherwise participate in the above patent application. The Declaration by Kevin D. Wills contains a redacted copy of an express written refusal by Michael Leibensperger to cooperate in the filing of the above patent application, as required by MPEP 409.03(d).

Also attached hereto are copies of an Assignment executed by other inventors of the invention assigning their interests in the invention to Motorola, Inc., ("Motorola") and a Declaration and Power of Attorney executed by other inventors authorizing Motorola to represent them in regard to the prosecution of this application before the United States Patent and Trademark Office.

Therefore, applicants respectfully request that their Petition be granted and that they be authorized to make application for patent on behalf of and as agent for Richard Dykiel and Michael Leibensperger.


Please charge Deposit Account 502117 for any required fees such as the miscellaneous petition fee under 37 CFR 1.17(h).

Respectfully submitted,

Harold N. Rosenstock et al.

Mail all correspondence to:  
CUSTOMER NO. 23330

By:



Kevin D. Wills  
Attorney for Applicant  
Registration No. 43,993  
Phone: 602-952-4364  
Fax: 602-952-4376